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ATTORNEY DOCKET NO. 064731.0251

PATENT

Serial No. 10/028,658

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Choudhary et al.
 Serial No.: 10/028,658
 Filing Date: December 21, 2001
 Group Art Unit: 2633
 Title: OPTICAL PHASE MODULATION

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Technology Center 2600

Honorable Commissioner
 for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Tiles

Name

May 8, 2003

Date of Signature

Express Mail No. EV 323510915 US

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as prior art or that these references are material to the patentability of the present application.

Enclosed is a copy of a PCT International Search Report identifying the references contained in this Information Disclosure Statement. The PCT International Search Report has

a mailing date of April 25, 2003. Therefore, I hereby certify that the references contained in this Information Disclosure Statement were cited for the first time in a communication from a foreign patent office in a related foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in the event a patent term adjustment is requested, pursuant to the requirements of 37 C.F.R. § 1.704, Applicants submit that the references contained in this Information Disclosure Statement were received from a foreign patent office in a related foreign application not more than thirty (30) days prior to the filing of this Information Disclosure Statement.

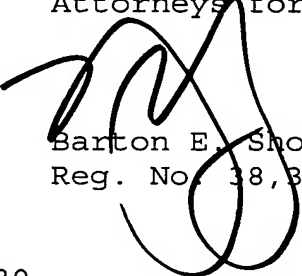
The Japanese Patent No. 10-332939 reference cited in the attached PTO-1449 to this Information Disclosure Statement is not in the English language but was discovered in the PCT International Search Report identified above. Thus, pursuant to M.P.E.P. § 609(A)(3), an English language version of the PCT International Search Report indicating the degree of relevance for this reference is attached to the PTO-1449 of this Information Disclosure Statement to satisfy the concise explanation of relevance requirement under 37 C.F.R. § 1.98(a)(3).

Pursuant to 37 C.F.R. § 1.97(c), Applicants believe that this Information Disclosure Statement has been filed before the mailing date of a final action or notice of allowance. Therefore, Applicants believe that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

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PTO-1449 Information Disclosure Citation In an Application	Application No. 10/028,658	Applicant(s) Choudhary et al.	
	Docket Number 064731.0251	Group Art Unit 2633	Filing Date Dec. 21, 2001

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	US 2001/0005271A1	06/28/2001	Leclerc et al.	359	140	
	B						
	C						
	D						
	E						
	F						
	G						
	H						
	I						
	J						
	K						
	L						

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	M	EP 0 792 069 A2	01/10/97	EPO	H04N 7/22		X	
	N	EP 0 825 733 A2	02/25/98	EPO	H04B 10/155		X	
	O	JP 10-332939	12/18/98	Japan	G02B 6/60	G02B 6/28		X
	P							
	Q							

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	R	PCT Search Report in International Application No. PCT/IB 02/05568, dated April 25, 2003, 7 pages.	04/25/2003
	S		
	T		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE